

Both of the first and second portion being arranged to provide an flow of water to an overflow weir.

Applicant submits that the AAPA does not anticipate the present claims, and requests that this rejection be reconsidered and withdrawn.

Non-obviousness

Claims 3-5 and 13-15 have been rejected under 35 USC 103(a) as being unpatentable over Larsen (US 5,800,701). The Examiner's position is that these claims essentially differ from the AAPA by specifying a rotary brush, and that Larsen discloses a rotary brush. The Examiner has taken the position that it would have been obvious to one of ordinary skill in the art to employ a rotary brush in the system described by AAPA, in order to aid in the cleaning of the screen.

This rejection is respectfully traversed.

There is not "a system described by AAPA". There are two systems. One system is referred to in paragraph [0006]. This system differs from the claimed screening apparatus in that it is in the form of a horizontal belt, of which the upper surface is intended to operate above the water level.

The screening apparatus of the present claims comprises a steeper portion extending to an elevated position. Moreover, in the screening apparatus of the present invention the upper surface is intended to become submerged. When it is submerged it is arranged to filter debris from sewage.

These two differences represent a major improvement over the AAPA. For a given dimension of the weir, the screening surface of the screening apparatus is twice as large as that of the AAPA. This results in a greatly increased capacity for water flow, which is an important requirement for dealing with heavy rainfall during storms.

The feature of the steeper portion extending to an elevated position makes it possible to keep the cleaning mechanism above the water level, even during emergency overflow conditions (see paragraphs [0071] and [0072]). In addition, this steeper portion also provides additional screening (see paragraph [0070]).

Larsen does not suggest the new features of the claimed invention. The screen in Larsen is designed for filtering the liquid entering a sewage treatment plant (see col. 1, lines 24-26). This is different from the overflow situation that is addressed by the present invention, and does not present the same water flow requirements. Accordingly, the screen in Larsen is a single-flow screen, in which only one side of the band has a filtering action. This is best seen in Figure 1 of Larsen, showing a liquid flow from left to right. Only the submerged left hand portion of the screen is active in filtering.

Being related to an inlet screen, the teachings of Larsen are not particularly relevant to the needs of an overflow weir. In any event, Larsen does not suggest in any way the features of the present invention.

The second "system of the AAPA" is that of Hirs (US 4,242,205), discussed in paragraph [0008] of the present application.

The focus of Hirs is on filtering liquids such as coolants utilized in machining operations (col. 1, lines 11-13). With reference to Figure 1, filter belt 14 is located in settling tank 10. An important amount of solids settles by gravity, and is collected and removed by drag-out device 28. Any remaining solids are removed by belt 14 via filter box 16.

Apparently, for this kind of device there is no concern about handling large flows of liquid, as only small portions of belt 14 in contact with inlet openings 34 of filter box 16 (see Fig. 2) provide screening.

Cleaning device 62 works intermittently, and the filtering operation must be interrupted (see col. 5, lines 1-6) when the cleaning device is in operation.

The teachings of Hirs are of no value to the person interested in a screening apparatus for a sewage overflow weir. The system described in Hirs is unsuitable for sewage screening. The Hirs system uses only a small portion of the belt for filtering, and its cleaning device is such that the filtering operation must be interrupted for its activation.

There is no basis for combining the teachings of Hirs and Larsen, because Hirs is not relevant to sewage screening. In any event, Larsen does not suggest the necessary changes that would need to be made to Hirs to result in the present invention. Neither Hirs nor Larsen is interested in increasing the portion of the belt that provides screening activity.

Claims 9 and 20 stand rejected as being unpatentable over AAPA. The Examiner has taken the position that one of ordinary skill would have readily appreciated the use of a box.

As explained hereinabove, the differences with the AAPA are not limited to the presence of a box. Moreover, the Examiner has not cited any reference to support the statement that a skilled person would have readily appreciated the use of a box. And even if a skilled person would conceive of a box, as the Examiner suggests, why would this skilled person design the box in such a way that screened water passes through the box structure before passing over the weir?

Applicant submits that this rejection is not well-founded, and should be withdrawn.

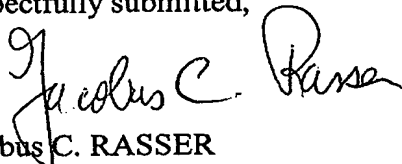
Summary

The novelty rejections over the AAPA were not appropriate, as differences exist between the AAPA and the claims as filed. The amended claims add further differences.

The obviousness rejections have been overcome with the claim amendments presented herewith.

Applicant submits that the rejections have been overcome, and respectfully requests a favorable decision on the amended claims.

Respectfully submitted,

A handwritten signature in cursive script that reads "Jacobus C. Rasser".

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